

**MINUTES**

**REGULAR COUNCIL MEETING**

**October 18, 2021**

**7:00PM Council Meeting**

THE BUSINESS OF THE COUNCIL SHALL BE CONDUCTED IN THE FOLLOWING ORDER:

1. Call to Order by presiding officer  
Moment of silence, Pledge of Allegiance.
2. Roll Call (if quorum is not present, the meeting shall thereupon be Adjourned to a specific date by the majority vote of those present)
3. Review and approval of agenda.
4. Presentation
5. Citizen Correspondence/Personal Appeals - Agenda Items
6. Approval of the preceding meeting minutes if correct and rectifying mistakes if any exist.
7. Approval of Payment of Bills
8. Reports of Committees
9. Business Not Ready for Action or No Action Needed
10. Old Business
11. Introduction of Ordinances and Resolutions
12. New Business
13. Added Items
14. Citizen Correspondence/Personal Appeals - Non-Agenda Items
15. Adjournment

**ITEM 1. CALL TO ORDER BY PRESIDING OFFICER: Council President Scott Bower**

**ITEM 2. ROLL CALL (Attendance)**

<u>COUNCIL MEMBERS</u> <u>&amp; MAYOR</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>OFFICERS</u>	<u>PRESENT</u>	<u>ABSENT</u>
BOWER	<u>  X  </u>	<u>      </u>			
TROIANI	<u>  X  </u>	<u>      </u>	Chief of Police	<u>  X  </u>	<u>      </u>
ALLEY	<u>  X  </u>	<u>      </u>	Solicitor	<u>  X  </u>	<u>      </u>
LEWIS	<u>  X  </u>	<u>      </u>	Engineer	<u>      </u>	<u>  X  </u>
JARRETT	<u>  X  </u>	<u>      </u>	DPW Foreman	<u>  X  </u>	<u>      </u>
LEARN	<u>  X  </u>	<u>      </u>	Reporter(s)	<u>Susan Schwartz (PE)</u>	
TALANCA	<u>  X  </u>	<u>      </u>	Fire Chief	<u>  X  </u>	<u>      </u>
MAYOR BURKE	<u>  X  </u>	<u>      </u>			
DAMIEN SCOBLINK, MANAGER	<u>  X  </u>	<u>      </u>			

**ITEM 3. REVIEW & APPROVE CURRENT AGENDA:**

Discussion - Borough Manager requested that Items 10, 11 and 12 of New Business be removed. Motion made with these changes.

Motion: Mr. Jarrett Second: Ms. Alley

All in favor, agenda approved with noted changes.

**ITEM 4. PRESENTATION:** None

**ITEM 5. Citizen Correspondence / Personal Appeals - Agenda Items**

- Laurie Allison - Presented on successes of feral cat program, and requested additional funds for remainder of year. It was noted that this item is up for consideration later in the agenda.

**ITEM 6. APPROVAL OF THE MINUTES OF THE PRECEDING MEETINGS**

- Regular Council Meetings of September 20, 2021 and October 4, 2021.

Discussion - None

Motion: Mr. Learn Second: Mr. Lewis

All in favor, minutes approved.

**ITEM 7. APPROVE PAYMENT OF BILLS** MOTION: Ms. Alley SECOND: Mr. Talanca

Voting in favor were Councilpersons Bower, Troiani, Alley, Jarrett, Lewis and Talanca. Councilperson Learn abstained, citing a technology issue having prevented him from having ability to review bills thoroughly enough to vote to approve. Payment of bills approved via a 6-0 vote in favor.

**ITEM 8. REPORTS OF COMMITTEES**

MAYOR: Mayor Tim Burke - Offered praise for Riverfest. Kicked off Thanksgiving assistance program. Noted a variety of Halloween festivities coming up. Announced Christmas wish list will open soon. Wished good luck to all those running for re-election.

ENGINEER: Quad 3 - None

SOLICITOR: Attorney Frank Kepner - Provided update on situation involved Mr. and Mrs. Clemens and disruptive neighbors. Noted that owners of both homes have now sold, ending the need to further pursue the matter. Council vocalized support for this stance.

PERSONNEL: Jeri Alley, Nelson Learn, Jay Jarrett - None

LEGAL AND FINANCE: Jeri Alley, Nelson Learn, Jay Jarrett - None

PARKS AND RECREATION: Teresa Troiani, Pete Talanca, Jay Jarrett - None

EMERGENCY MANAGEMENT: Greg Harkins, Scott Bower, Teresa Troiani, Jay Jarrett - None

STREETS, PARKS, & BUILDINGS: Jack Kytte - Reported on success of Riverfest. Fall brush and leaf pickup starting soon. Street sweeping will conclude for the year at the end of October.

FIRE AND WATER: Scott Bower, Pete Talanca, Bob Lewis - None

CODES, RECYCLING, & ORDINANCES: Nelson Learn, Jeri Alley, Pete Talanca - None

SAFETY: Bob Lewis - None

POLICE: Chief Ken Strish - Statistics from third quarter and monthly reports were roughly as expected. Two new officers are doing well.

FIRE: Chief Gene Boone - None

BAJSA REPORT: See Report - Report Provided

**ITEM 9. BUSINESS NOT READY FOR ACTION:**

1. Berwick Theater - Borough Manager explained that Columbia County has expressed willingness to support Berwick Theater's projects with \$150,000 of CLFRF funds, but asked that the Borough increase its commitment from \$100,000 to match that level, based on increase of scope of work. This request only came in today, making it not possible to add to this agenda for vote. Will add to agenda for next meeting.

**ITEM 10. OLD BUSINESS:**

1. Consider and take action to approve Pay App #2 to Umbriac Trucking, LLC, in the amount of \$83,497.50, for work done on the CDBG Butternut Street reconstruction project.

Discussion: Borough Manager explained that engineer confirmed that this payment would only be for work already completed, and advised payment.

Motion: Ms. Troiani Second: Mr. Talanca  Approved,  Denied,  Tabled

All in favor, motion approved.

**ITEM 11. APPROVAL OF ORDINANCES AND RESOLUTIONS:**

None

**ITEM 12. NEW BUSINESS**

1. Consider and take action to approve payment to Beyond Violence, Inc., in the amount of \$3,250 for payment of Marr Development Invoice #1530, to be paid utilizing CLFRF funds.

Discussion: None

Motion: Mr. Talanca Second: Mr. Lewis  Approved,   
Denied,  Tabled

Voting in favor were Councilpersons Bower, Troiani, Alley, Learn, Lewis and Talanca. Councilperson Jarrett abstained, citing a position on the board of Beyond Violence. Motion approved via a 6-0 vote in favor.

2. Consider and take action to approve a paid advertising sponsorship of the Berwick Christmas Boulevard in the Press Enterprise as follows: 1/8 page ad at a cost of \$167.

Discussion: Council discussed different options before ultimately settling on 1/8 page.

Motion: Mr. Learn Second: Ms. Troiani  Approved,   
Denied,  Tabled

All in favor, motion approved.

3. Consider and take action to authorize funding for Berwick Borough TNR Program through the end of 2021 as follows: additional \$3,000 will be added to the program's budget through the end of 2021.

Discussion: Council expressed support for the program, while noting that this needed to be a final amount for this year.

Motion: Ms. Troiani Second: Mr. Lewis  Approved,  Denied,  
 Tabled

4. Consider and take action to approve funding CMSU for three years rent in a vacant office space at 107 South Market Street, at a total cost of \$25,200, with an additional allowance not to exceed \_\_\_\_\_ for furnishing of space, to be paid utilizing CLFRF funds.

Discussion: Borough Manager explained proposals. Some questions arose. Borough Manager agreed to get answers before Council would vote. Motion made to table discussion.

Motion: Mr. Lewis Second: Ms. Alley  Approved,  Denied,  Tabled

All in favor, item tabled.

5. Consider and take action to approve 2021 Section 3 Action Plan.

Discussion: None

Motion: Mr. Jarrett Second: Mr. Talanca  Approved,  Denied,  Tabled

All in favor, motion approved.

6. Consider and take action to accept resignation of Randy Remphrey as Berwick Fire Chief for the remainder of his current term.

Discussion: Council wished Mr. Remphrey well in his recovery.

Motion: Mr. Learn Second: Ms. Troiani  Approved,  Denied,  Tabled

All in favor, motion approved.

7. Consider and take action to approve Gene Boone to fill the role of Fire Chief for the remainder of the current term.

Discussion: None

Motion: Ms. Troiani Second: Mr. Jarrett  Approved,  Denied,  Tabled

8. Consider and take action to authorize Borough Manager to negotiate with BAJSA on Council's behalf toward completion of MS4 Agreement, with final agreement to be approved by Council, with the following stipulations: all costs and responsibilities, current and ongoing, on all projects other than BMP #1, to be shared 50/50. BMP #2 to utilize Quad 3 as engineer.

Discussion: Council expressed a feeling that it needed to be clear that costs were shared, without room for loopholes, so as to not lead to a situation similar to Abbonizio lawsuit.

Motion: Mr. Talanca Second: Ms. Alley  Approved,  Denied,  Tabled

Voting in favor were Councilpersons Bower, Troiani, Alley, Jarrett, Lewis and Talanca. Councilperson Learn abstained, citing his position on the board of BAJSA. Motion approved via a 6-0 vote in favor.

9. Consider and take action to commit to Columbia County the Borough's intent to fund 50% of the shared MS4 expenses between the Borough of Berwick and the Berwick Area Joint Sewer Authority, contingent on agreement with BAJSA being signed.

Discussion: Council reiterated the need for an agreement to be in place before any such commitment is formalized.

Motion: Mr. Jarrett Second: Mr. Lewis  Approved,   
Denied,  Tabled

All in favor, motion approved.

**ITEM 13. ADDED ITEMS**

None

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**ITEM 14. Citizen Correspondence / Personal Appeals - Non-Agenda Items**

- Susan Schwartz, Press Enterprise - Asked that all candidates for office check their email and respond to a candidate survey that had been sent out.

**ITEM 15. ADJOURNMENT:** Motion: Ms. Alley Second: Mr. Talanca

Meeting adjourned.